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CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**Arturo AMADOR-Soltero**
**Santos URIAS-Urrieta**
**Victor VILLALOBOS-Castro**
Defendant(s)

Magistrate Case No.
'08 MJ 1335

COMPLAINT FOR VIOLATION OF:

Title 8 U.S.C., Sec. 1324 (a)(2)(B)(iii)
Bringing in Illegal Aliens Without Presentation

The undersigned complainant, being duly sworn, states:

On or about **April 28, 2008,** within the Southern District of California, defendants **Arturo AMADOR-Soltero, Santos URIAS-Urrieta, and Victor VILLALOBOS-Castro**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Jorge ZEPEDA-Arias, Jorge MARTINEZ-Pahua, Araceli BARON-Cisneros,** had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
John R. Wallace
Supervisory Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **29th** DAY OF **APRIL 2008**

Nita L. Stormes
UNITED STATES MAGISTRATE JUDGE

CSC

**CONTINUATION OF COMPLAINT:**
**Arturo AMADOR-Soltero**
**Santos URIAS-Urrieta**
**Victor VILLALOBOS-Castro**

## PROBABLE CAUSE STATEMENT

Furthermore, the complainant states that **Jorge ZEPEDA-Arias, Jorge MARTINEZ-Pahua, Araceli BARON-Cisneros** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On April 28, 2008 at 1:00 a. m., Customs and Border Protection Marine Interdiction Agents Ward, Frith and Lopez were performing marine patrol operations approximately 10 miles southwest of Point Loma, California. Agents saw a target on radar, and could not observe any lights. Using thermal imaging cameras the agents detected a small vessel. Agents activated their spot light and observed a panga (boat), approximately 26 feet in length. No registration markings were visible, making the vessel stateless. Agents believed the vessel was hovering near United States waters and was attempting to evade detection.

The vessel was occupied by 17 individuals; none appeared to be in command. Agents immediately suspected an illegal alien smuggling load. Agents identified themselves and boarded the vessel. Agent Lopez immediately took control of the vessel, as it had been left in gear. Once the vessel was secure, agents interviewed each of the subjects and determined that they were all citizens and nationals of Mexico being smuggled into the United States. All of the subjects were placed into custody and transported to the CBP Marine dock. The subjects arrived at the dock facility at approximately 3:30 a.m. Border Patrol and ICE Marine Task Force agents met the boats and transported the illegal aliens to Imperial Beach Station for processing.

**DEFENDANT STATEMENTS:**

STATEMENT OF DEFENDANT #1 Arturo AMADOR-Soltero:

AMADOR was advised of his Miranda Rights and he stated that he understood his right. AMADOR was willing to make a statement without a lawyer present. AMADOR admits to being a citizen and national of Mexico without any immigration documents allowing him to be or remain in the United States legally. AMADOR admits to participating in the boat smuggling event by directly maintaining the boat carrying fourteen smuggled aliens and he was assisted by two other individuals that he identified in a photo lineup. AMADOR identified defendant #3 Victor VILLALOBOS-Castro as the driver of the boat. He also identified defendant #2 Santos Esteban URIAS-Urrieta as the intended foot-guide once the boat reached ashore. AMADOR stated that the intended destination was Carmel Valley.

STATEMENT OF DEFENDANT #2 Santos URIAS-Urrieta:

URIAS was advised of his Miranda Rights and he stated that he understood his right. URIAS was willing to make a statement without a lawyer present. URIAS admits to being a citizen and national of Mexico without having any immigration documents that would allow him to be or remain in the United States legally. URIAS admits to being the intended foot-guide once the boat reached ashore. He also admits to giving the smuggled aliens instructions to follow once they reached ashore. URIAS stated that he participated in the smuggling event in order to waive the smuggling fee. URIAS admits that there were two other individuals that were assisting in the smuggling boat load. In a photo line up, URIAS identified defendant #1 Arturo AMADOR-Soltero as the assistant to the driver of the boat; also, URIAS identified defendant #3 Victor VILLALOBOS-Castro as the driver of the boat.

**CONTINUATION OF COMPLAINT:**
**Arturo AMADOR-Soltero**
**Santos URIAS-Urrieta**
**Victor VILLALOBOS-Castro**

STATEMENT OF DEFENDANT #3 Victor VILLALOBOS-Castro:

VILLALOBOS was advised of his Miranda Rights and he stated that he understood his right. VILLALOBOS was willing to make a statement without a lawyer present. VILLALOBOS admitted to being a citizen and national of Mexico without having any immigration documents allowing him to be or remain in the United States legally. VILLALOBOS states that he agreed to drive the boat for a fee designated before the event. He also recognized two other participants in the smuggling of the fourteen undocumented aliens. In a photo lineup, VILLALOBOS identified defendant #1 Arturo AMADOR-Soltero as the person assisting him with the maintenance of the boat; also, he identified defendant #2 Santos URIAS-Urrieta as the person giving the group instructions to follow once the boat reached ashore.

**MATERIAL WITNESSES STATEMENTS:**

Material witnesses **Jorge ZEPEDA-Arias, Jorge MARTINEZ-Pahua, Araceli BARON-Cisneros** agree in summary that they are citizens and nationals of Mexico illegally present in the United States. They admit to entering the United States illegally. The material witnesses stated that they were to pay up to $4,000 (US) to be smuggled into the United States. All three material witnesses were shown a photographic line up and were able to identify defendant **#1 Arturo AMADOR-Soltero** as an assistant to the driver of the smuggling boat, defendant **#2 Santos URIAS-Urrieta** as the intended foot-guide who was going to guide the group when the boat reached shore, and defendant **#3 Victor VILLALOBOS-Castro** as the driver of the smuggling boat.